



**CITY OF SUNNYVALE  
REPORT  
Administrative Hearing**

**January 14, 2004**

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**SUBJECT:**           **2003-0927** - Application on a 6,962 square-foot site located at **621 Templeton Court** in an R-1 (Low-Density Residential) Zoning District. (APN: 202-09-055):

Motion               **Variance** from Sunnyvale Municipal Code section 19.34.030 to allow a 14' and 1" front yard setback where 20 feet is required.

**REPORT IN BRIEF**

**Existing Site Conditions**           Single-Family Residential

**Surrounding Land Uses**

North                   Single-Family Residential

South                  Single-Family Residential

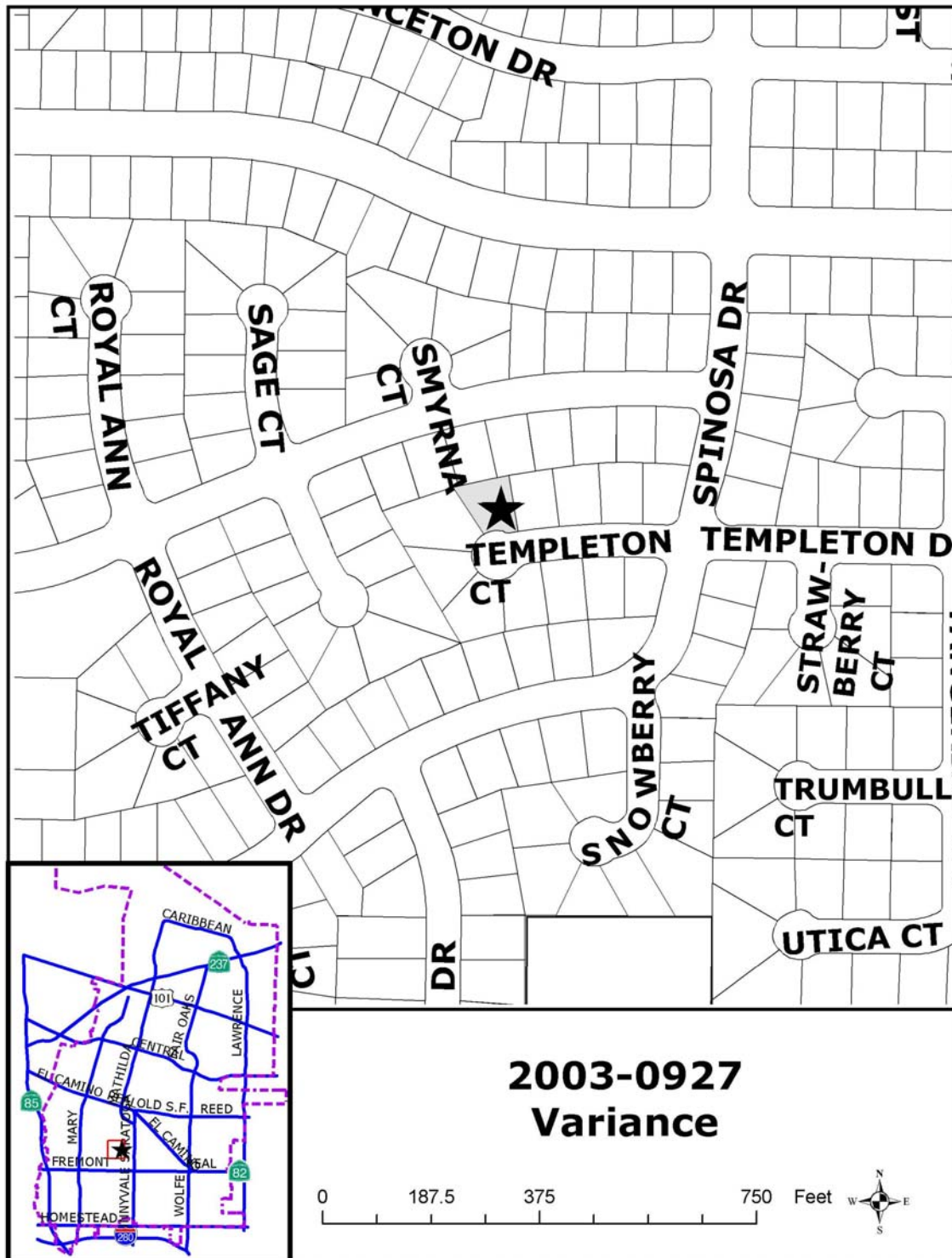
East                   Single-Family Residential

West                   Single-Family Residential

**Issues**                   Front Yard Setback

**Environmental Status**           A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation**           Approve with Conditions



**PROJECT DATA TABLE**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>REQUIRED/ PERMITTED</u></b>
<b>General Plan</b>	Residential Low Density	Residential Low Density	---
<b>Zoning District</b>	R-0	R-0	---
<b>Lot Size (s.f.)</b>	6,952	6,952	6,000 min.
<b>Gross Floor Area (s.f.)</b>	2,063	2,470	3,128
<b>Lot Coverage (%)</b>	30%	35%	40% max.
<b>Floor Area Ratio (FAR)</b>	30%	35%	45% max.
<b>Building Height (ft.)</b>	9'	17'7"	30' max.
<b>No. of Stories</b>	1	1	2 max.
<b>Setbacks (facing prop.)</b>			
★ • <b>Front</b>	14'11"	14'1"	20 min.
• <b>Left Side</b>	21'	9'	15' combined min (6' on one side)
• <b>Right Side</b>	6'	6'	15' combined min (6' on one side)
• <b>Rear</b>	14'4"	14'4"	20' min.
<b>Parking</b>			
• <b>Total No. of Spaces</b>	3	3	4 min.
• <b>No. of Covered Spaces</b>	2	2	2 min.

★ - Requested deviation

**ANALYSIS****Background**

**Previous Actions on the Site:** The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
2001-0205	Install Solar Panels on Roof	Miscellaneous Plan Permit / Approved	4/13/01

**Description of Proposed Project**

The proposed project involves the addition of 416 square feet to an existing 1,996 square foot single story home. The applicant proposes to expand the living room and kitchen area. Additionally, the existing garage and a bedroom will be expanded. Interior remodeling will enlarge the existing master bedroom. Due to the unique configuration of the lot, the applicant seeks a Variance from front yard setback requirements.

**Environmental Review**

Staff conducted a review of potential environmental impacts for the project and determined that the project is categorically exempt from environmental review in accordance with the California Environmental Quality Act and City Guidelines. Class 1 Categorical Exemptions include minor additions to existing facilities.

**Variance**

**Use:** The applicant proposes to enlarge the existing kitchen and living room. A master bedroom will be remodeled and additional space will be added to another bedroom. The expansion of the garage increases the non-conforming front yard setback of 14'11" to 14' 1"; therefore, a Variance application is required.

**Site Layout:** The proposed site is a pie-shaped lot located at the end of a cul-de-sac. Currently, the site meets all setbacks with the exception of the front yard. The additional living space proposed at the left (West) side of the home would meet the minimum 15 foot combined required side yard setback for properties located in the R-1 Zoning District. As the new addition is angled towards the side of the property, a majority of the proposed structure would be situated a greater distance than the permissible side yard setback.

The existing garage is located 14' 11" from the front property line. The addition would extend four feet from the existing wall along the same line as the existing garage; however, due the curvature of the lot, the setback will be decreased by ten inches. A 14' 1" setback would exist for the proposed garage. Staff believes that in order to preserve the visual appearance and structural integrity of the garage, the minor decrease for the front yard setback is warranted. See "Site Plan" on Page 1 in Attachment #3 for more details.

The following Guidelines were considered in analysis of the project site design.

<b>Design Policy or Guideline (Site Layout)</b>	<b>Comments</b>
<i>Sunnyvale Single Family Home Design Techniques</i>  <i>3.1 Neighborhood Patterns -</i> <i>D. Where significant additions to existing home are planned, it is generally better to place those additions at the rear of the house or at the side, if side yard setbacks allow.</i>	<p>The majority of the proposed addition makes use of an existing large setback on the left side of the property. A screen door enables access to a fenced in patio area at the front of the home and an additional door to the rear yard.</p>

**Architecture:** The applicant proposes to modify the roof form for the majority of the home and new addition. (See elevations in pages 2 and 3 of Attachment #3 for more detail.) The flat roof of the garage will remain the same. The neighborhood consists mostly of Eichler style homes. The proposed architecture incorporates a different roof form than would be typically found for this style of homes; however, Eichler style elements are incorporated with the proposed changes to the home. The shape and style of the proposed windows are reminiscent of the Eichler style. The windows on the proposed addition will allow solar access and their position should not interfere with privacy concerns of the adjacent property. The flat roof of the garage will remain and will continue to be the more prominent feature from the view from the street.

The following Guidelines were considered in the analysis of the project architecture.

<b>Design Policy or Guideline (Architecture)</b>	<b>Comments</b>
<i>Sunnyvale Single Family Home Design Techniques</i>  <i>3.7 Materials -</i> <i>G. Wall materials for additions should generally match those of the existing building. On additions to Eichler homes, exterior walls facing public streets should match the vertical grove wood siding on the existing home unless that original material no longer exists on the home's street facing facades.</i>	<p>The proposed addition will match the existing vertical wood siding that currently exists. The addition will also be painted to match the main structure.</p>

Design Policy or Guideline (Architecture)	Comments
<i>3.6 Privacy and Solar Access - Windows should be placed to minimize views into living spaces and yard spaces near neighboring homes. When windows are needed and desired in side building walls, they should be modest in size and not directly opposite windows on adjacent homes.</i>	The proposed windows of the angled addition are placed high on the side elevation as to minimize privacy impact to the adjacent neighbors.

**Landscaping:** New interlocking pavers will be installed at the front of the home. A majority of this area is obstructed from view by an existing fence. The project does not propose any additional changes to the landscaping of the site.

**Parking/Circulation:** The site includes a two car garage and a paved driveway in front of the home which enables the parking of one vehicle. The increased area for the garage enables the covered parking area to be more functional. Currently the location of the garage door and the existing wall make it difficult to utilize or open the door and/or exit the vehicle for the resident. No enlargement or alterations to the paved area are proposed with this project.

#### **Expected Impact on the Surroundings**

The one-story addition should have minimal impact to the adjacent neighbors. The visual appearance of the home will be slightly modified as the slope of roof will increased; however, the flat roof of the garage at the front of the site will remain. Staff believes the proposed architectural changes will not have a negative impact to the neighborhood. A majority of the addition is obstructed by an existing fence. Surrounding homes in the area appear to meet the required front yard setback. The shape of each lot varies on a lot to lot basis on the street. In this case, the site appears to be the only situation where a non-conforming front yard setback exists (See Aerial Map in Attachment #4.).

#### **Findings, General Plan Goals and Conditions of Approval**

Staff was able to make the required Findings based on the justifications for the Variance.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

**Fiscal Impact**

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No fiscal impacts other than normal fees and taxes are expected.

**Public Contact**

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<b>Notice of Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• Mailed to the adjacent property owners of the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li><li>• Recorded for SunDial</li></ul>

**Alternatives**

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1. Approve the Variance with the attached conditions.
2. Approve the Variance with modifications to the conditions.
3. Deny the Variance.

**Recommendation**

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Alternative 1

Prepared by:

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Ryan M. Kuchenig  
Project Planner

Reviewed by:

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Fred Bell  
Principal Planner

Attachments:

1. Findings
2. Conditions of Approval
3. Site and Architectural Plans
4. Aerial view of subject site
5. Photos from street view of the subject site
6. Photos of adjacent and neighboring homes
7. Applicant's "Justifications" for Variance



### **Findings - Variance**

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1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. The subject site is located on an irregularly shaped lot. The majority of the home, with the exception of the garage, meets and exceeds the required front yard setback. Neighboring properties located on Templeton Court also have varied sizes and shapes of lots, but it appears that each of the homes meet the required front yard setback. A neighboring property owner may have more ability to achieve a similar extension of the garage without an encroachment of the required setback.
2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. Staff believes the ten inch encroachment of an existing non-conforming setback will not have a negative impact to the property or surrounding neighborhood. The slight encroachment of the structure allows an existing overhang area to be enclosed and enables the garage area to function more effectively.
3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. The applicant wishes to receive a similar ability to expand the garage as neighboring properties. Surrounding properties do not have a similar existing non-conforming front yard setback.

**Conditions of Approval - Variance**

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In addition to complying with all applicable City, County, State, and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees with the following Conditions of Approval for this Permit.

1. The two year expiration of the Variance shall be measured from the date of the approval by the final review authority at a public hearing if the approval is not exercised.
2. Project shall be in substantial conformance to the approved plans. Minor changes may be approved by the Director of Community Development. Major changes shall be approved at a public administrative hearing.
3. Obtain a building permit.
4. The addition shall utilize vertical wood siding and 40-year composition roof material as noted on the plans.

